

FIRE SERVICE ADVISORY COMMITTEE

C/O Department of Public Safety/State Fire Marshal Division
445 Minnesota St. Ste 146
St Paul, MN 55101

BYLAWS

Mission Statement

The mission of the Fire Safety Advisory Committee is to advise the commissioner of public safety with respect to funding needed for identified activities and programs of the Minnesota fire service.

Statement of Funding Priorities

The advisory committee shall provide funding recommendations for the following purposes:

- Minnesota Board of Firefighter Training and Education
- For programs and staffing for State Fire Marshal Division
- Fire-related regional response team programs
- Other fire service programs that have the potential for statewide impact

INTRODUCTION

The Fire Safety Surcharge was established in 2006 by the Minnesota Legislature in Minnesota Statutes, Chapter 2971.06. The new Fire Safety surcharge replaced gross premiums Fire Marshal Tax, which had been collected for more than 70 years. This tax was unknown to consumers because it was included in premiums they paid. The repeal of this tax, along with the addition of the new surcharge means most homeowners will only pay slightly more overall than they had been paying in the past.

Homeowners began paying a new “Fire Safety Surcharge” when they renewed their homeowner’s insurance premiums. This surcharge is separately stated on their premium notice and is equal to .65% of their overall premium. Beginning July 1, 2013, the surcharge is 0.5 percent. (Business owners also pay this rate on their business insurance lines).

Money raised by the new surcharge goes into the Fire Safety Account which pays for the majority of the budget of the Minnesota State Fire Marshal’s office, the Minnesota Board of Firefighter Training and Education and for grants that will be used to pay for fire related regional response team programs and other fire service programs that have the potential for statewide impact.

The change in funding was a way to provide more stability for the State Fire Marshal’s budget and more funds for firefighter training and other statewide service programs.

As part of the new law, a committee was formed that helps guide the ways in which funds from the account may be spent. The Fire Service Advisory Committee (FSAC) is made up of 12 members including three of whom reside in Greater Minnesota. The Advisory Committee consists of

representatives from the following organizations: two appointed by the president of the Minnesota State Fire Chiefs Association, two appointed by the president of the Minnesota State Fire Department Association, two appointed by the president of the Minnesota Professional Fire Fighters, two appointed by the president of the League of Minnesota Cities, one appointed by the Minnesota Association of Townships, one appointed by the president of the Insurance Federation of Minnesota, one appointed jointly by the presidents of the Minnesota Chapter of the International Association of Arson Investigators and the Fire Marshals Association of Minnesota and the Commissioner of Public Safety's designee.

The FSAC has been meeting regularly since September 2006 to help establish the guidelines that will be used in awarding grant money from the account.

Fire Service Advisory Committee

Authority: 2006 Minn. Laws Chap. 217 Sec. 3
Minn. Stat. 299F.012

Function: The Fire Service Advisory Committee shall provide recommendations to the commissioner of public safety on fire service-related issues. The committee shall provide funding recommendations to the commissioner of public safety from the fire safety fund for the following purposes: for the Minnesota Board of Firefighter Training and Education; for programs and staffing for the State Fire Marshal Division; and for fire-related regional response team programs and any other fire service programs that have the potential for statewide impact.

Active dates: 2006 –

History: The Fire Service Advisory Committee was reviewed by the Legislative Commission on Planning and Fiscal Policy (LCPFP) in 2013 as part of their biennial duty required by Minn. Stat. 3.885 Subd. 11. The LCPFP's 2013 Recommendations called for keeping the committee and 2014 Minn. Laws Chap. 286 Art. 6 Sec. 8 clarified its continued existence.

ARTICLE I - MEMBERSHIPS

Section 1 - Appointments

Two appointed by the president of the Minnesota State Fire Chiefs Association, two appointed by the president of the Minnesota State Fire Department Association, two appointed by the president of the Minnesota Professional Fire Fighters, two appointed by the president of the League of Minnesota Cities, one appointed by the president of the Minnesota Association of Townships, one appointed by the president of the Insurance Federation of Minnesota, one appointed jointly by the presidents of the Minnesota Chapter of the International Association of Arson Investigators and the Fire Marshals Association of Minnesota, and the commissioner of public safety or the commissioner's designee. The commissioner of public safety must ensure that at least three of the members of the advisory committee work and reside in counties outside of the seven-county metropolitan area.

Section 2 – Reports

Executive Branch Advisory Group Overviews (August 21, 2013)

Executive Branch Advisory Groups Recommendations (December 18, 2013)

Fire Safety Account Financial Reports

Section 3 – Designation of Officers

Officers of the Advisory Committee are elected by and from the membership of the Advisory Committee and include a Chair and Vice Chair. Officers have all rights conferred on other Advisory Committee members. No person may hold more than one Officer’s position at any given time or serve more than two consecutive terms as an Officer.

ARTICLE II – MEETINGS OF THE FIRE SERVICE ADVISORY COMMITTEE

Section 1 - Committees and Work Groups

All committees shall be appointed by the Chairperson, unless provided herein.

Section 2 – Committees

Sub committees of the Advisory Committee may be formed to consider and report on subjects requiring special study. These committees shall be appointed by the Chairperson unless a motion to contrary is passed by an affirmative majority vote. In the event such a motion is passed, the members of the special committee shall be nominated and elected by the Advisory Committee. The number of committee seats to be filled shall be determined by the Chairperson of the Advisory Committee.

Section 3 - Conduct

- The Advisory Committee will conduct meetings according to the following principles:
Meeting discussion should be limited to issues within the Advisory Committee’s purview.
 - Roll call and declaration of quorum
 - Minutes of the preceding meetings and actions thereon
 - Reports of officers and committees
 - Unfinished business
 - New business

- FSAC members should function primarily as members of a common committee, not primarily as representatives of their respective constituencies. The Funding Criteria are intended to provide a coherent framework for decision-making by the committee as a whole.
- If an FSAC member has a conflict of interest on a matter before the committee, they shall notify the chair prior to the beginning of the meeting whenever possible and shall abstain from voting on that matter. The chair will advise the committee of this disclosure.
- FSAC committee members are encouraged to advise their organizations or constituencies concerning the FSAC Funding Criteria and selection processes.
- Non-consensus is ok. Disagreement is ok. Open discussion is critical to sound decision-making and fair processes.

- Members are asked to advise the chair of issues that they plan to raise in advance of the meeting whenever possible. This is a courtesy to the chair and promotes effective meeting flow.
- Deliberation should be timely, fair, orderly, respectful, thorough, and efficient.
- Advisory Committee will comply with all state and federal statutes, rules, and regulations pertaining to open meetings, meeting notices, and meeting participation.

Section 4 - Reorganizational Meeting

At the last meeting of the calendar year, the Advisory Committee will establish regular meeting dates, elect Officers, and undertake other administrative tasks as necessary.

Section 5 - Special and Emergency Meetings

Special and Emergency Meetings may be called by the Chair in accordance with law.

- Roll call and declaration of quorum
- Reports of officers and committees concerning the purpose for which the meeting is called
- Discussion on the purpose for which the meeting is called

Section 6 - Place of Meetings

The Advisory Committee shall hold all regular meetings in the State of Minnesota.

Section 7 - Quorum

A majority of those holding appointments to the Advisory Committee constitutes a quorum.

No official business may be acted on without a quorum. When a quorum is present, the Advisory Committee may take action by a simple majority of those voting.

Section 8 – Agenda Items

All agenda items shall be prepared by the Chairperson or any person appointed by the Chairperson. If a member desires to have an issue placed on the agenda, that member shall give (10) days' notice, either by mail, email, telephone, prior to the meeting for special approval to be added to the agenda, to the Chairperson. The notice shall state the topic to be placed on the agenda.

ARTICLE III – OFFICERS

The officers of the Advisory Committee shall be Chairperson and Vice-Chairperson.

Section 1 - Chair

The Chair shall:

- Preside at Advisory Committee and Executive Committee meetings
- Create and appoint members to working groups as needed to carry out the Advisory Committee's work plan
- In consultation with the Executive Committee, set an agenda for each Advisory Committee meeting

- Call special or emergency meetings of the Advisory Committee and Executive Committee as needed
- Fulfill other obligations designated by and exercise other authority as authorized by the Advisory Committee
- Review all draft minutes to go for approval before the Advisory Committee

Section 2 - Vice Chair

The Vice Chair shall fulfill the duties and exercise the authority of the Chair when the Chair cannot. The Vice Chair shall fulfill other obligations designated by and exercise other authority as authorized by the Advisory Committee.

Section 3 - Terms of Office

The term of office for each Officer is two calendar years. Terms will commence upon election and end upon election of a successor. No person may serve more than two consecutive terms as an Officer. The Chair position is elected bi-annually to a two (2) year term. The members holding the office of Chairperson and Vice-Chairperson shall be voting members in good standing.

Section 4 - Election of Officers

At the first regular meeting of each odd number year the Advisory Committee will take nominations for a new Chair and Vice-Chair.

Section 5 – Removal of an Officer

Upon a two thirds (2/3) majority vote of all Advisory members, any officer can be removed from that office.

ARTICLE IV - ATTENDANCE

Section 1 - Removal for missing meetings

A member of the Advisory Committee absent from two (2) consecutive meetings ***shall*** receive notice that indicates their membership ***may be*** terminated ***if*** their attendance does not improve. The termination would be subject to a vote by the committee.

ARTICLE V - VOTING

Section 1 – Votes

Each member of the Advisory Committee shall receive one (1) vote.

Section 2 – Ex-Officio Members

Ex-Officio members do not have voting privileges.

Section 3 – Proxy Voting

Proxy voting shall be prohibited. US Mail or electronic (email) voting is permitted. The vote should be sent to the Chairperson or Chairperson Designee one (1) week prior to the scheduled meeting.

Section 4 – Administrative Resolutions

All administrative resolutions shall require a two-thirds (2/3) majority vote and be consistent with the amendment provisions of these bylaws.

ARTICLE VI – RECORD KEEPING AND COMMUNICATION

Section 1 - Record of Proceedings

Minutes will be kept of all Advisory Committee meetings and will be submitted to the Chair for review prior to submission to the Advisory Committee members for approval. It is approved by the Fire Service Advisory Committee that the meetings may be taped for administrative purposes only.

Section 2 - Record Retention

The Fire Service Advisory Committee will have a record retention policy established to adhere to.

Section 3 - Communications

Official communications to the Advisory Committee on policy matters should be presented to the Executive Committee for review and consideration as an agenda item.

An Advisory Committee member who receives a communication from any party that is potentially appropriate for Advisory Committee consideration should immediately forward it to the Chair, who may consult with the Executive Committee as appropriate.

An Advisory Committee member who becomes aware that a person may have a complaint regarding a possible violation of law regarding the activities of the Advisory Committee or any member should ask the person to submit the complaint in writing to the Chair or Vice Chair.

An Advisory Committee member who becomes aware that a person other than a member would like the Advisory Committee to consider an issue at a meeting should ask the person to submit the request in writing to the Chair. Whenever possible, members will be provided in advance the information necessary to properly consider any items to be acted on at an Advisory Committee meeting.

Section 4 - Confidentiality/Privacy Protection

The collection, creation, receipt, maintenance and dissemination of data maintained by the Advisory Committee are governed by the Minnesota Government Data Practices Act.

Section 5 - Conflict of Interest

An Advisory Committee member will not participate in proceedings or vote on matters in which the member has a prohibited conflict of interest.

Section 6 - Code of Conduct

Advisory Committee members will adhere to Respectful Workplace Policy.

Section 7 - Execution of Contracts

Contracts must be executed by the Advisory Committee Chair.

Section 8 - Amendments to Bylaws

Any member may propose an amendment to these bylaws provided such a proposal is submitted to the Chairperson thirty (30) days prior to any meeting.

- All proposed amendments shall be reviewed by the Executive Committee and

submitted to the entire membership at least thirty (30) days prior to being placed on the agenda for approval

- Proposed bylaw amendments must be passed by two-thirds (2/3) affirmative vote at any regularly scheduled meeting

Revised 1/8/2020